



3/31/04

## CONFERENCE REPORTS

### **SB 560 (Leland)**

SB 560 would authorize the DEQ to collect an annual groundwater discharge permit fee from dischargers of wastewater to the ground or groundwater of the state. Currently, the DEQ issues permits to entities such as municipalities, housing development, industrial facilities and farming operations. This is a new fee.

- The Senate adopted the Conference Report to SB 560 [RC 194: 33 yes, 4 no].

## MESSAGES FROM THE HOUSE

### **SB 637 (George)**

Senate Bill 637 allows a court to sentence jail time for minors (found guilty of possessing alcohol) who violate court orders to pay fines, undergo substance abuse treatment and rehabilitation services, or perform community services.

Support: Mothers Against Drunk Driving (MADD), Prosecuting Attorneys Association of Michigan.

Oppose: Michigan Licensed Beverage Association.

- Cropsey 1 (1 amend) was withdrawn.
- The Senate concurred with the House changes to SB 637 [RC 200: 24 yes, 13 no]. Immediate Effect was given to the bill.

### **SB 824 (Allen)**

SB 824 would amend the Michigan Economic Growth Authority Act to address: 1) employee leasing companies and professional employer organizations; 2) multi-site firms; and 3) the definition of high-technology businesses.

Oppose: MI AFL-CIO.

- SCHAUER 1 (4 amends) was defeated [RC].
- Cropsey 2 (S-10) was adopted [no RC].
- Sikkema 2A (2 amends) was adopted [no RC].

- Sikkema 2B (1 amend) was adopted [no RC].
- Sikkema 2C (1 amend) was adopted [no RC].
- The Senate concurred with the House changes to SB 824, as amended by the Senate [RC 202: 36 yes, 0 no].

## **HB 5120 (Van Regenmorter)**

HB 5120 is a technical clean-up of some last minute language inconsistency caused by Senate amendments to House Bill 4247, now Public Act 61 of 2003. The bill also adds the definition of “work zone” identical to House Bill 5089, (Acciavatti). Work zone would mean a portion of a street or highway that meets any of the following: (a) is between a “work zone begins” sign and an “end road work” sign; (b) for construction, maintenance, or utility work activities conducted by a work crew and more than one moving vehicle, is between a “being work convoy” sign and an “end work convoy” sign; (c) for construction, maintenance, surveying, or utility work activities conducted by a work crew and one moving or stationary vehicle exhibiting a rotating beacon or strobe light, between certain points.

- The Senate concurred with the House changes to HB 5120 [RC 201: 37 yes, 0 no].

## **BUDGETS**

### **SB 267 (Johnson)**

#### Supplemental budget

- Committee 1 (S-1) was adopted [no RC].
- Hardiman 1A (1 amend) was adopted [no RC]. Language to have funding for the “Encouraging Family Foundations” in Kent Program.
- SB 267 was moved to 3<sup>rd</sup> Reading.
- SCHAUER 1 (1 amend) was defeated [RC 189: 17 yes, 20 no (GOP)]. This would delete language requiring AMTRAK to increase fares beyond what is necessary to cover costs.
- SB 267 passed [RC 190: 37 yes, 0 no].

### **SB 1064 (Johnson)**

#### Corrections budget

The Governor’s proposed budget increased funding by 7%. The Senate version increases funding by only 5.8%.

Hepatitis C: S-1 reduces to \$100 resulting in a \$5,862,900 reduction.

Substance Abuse Testing and Treatment: S-1 reduces to \$12,416,600 resulting in a \$5,250,400 reduction.

Academic/Vocational Programs: S-1 reduces to \$28,165,900 resulting in a \$5,000,000 reduction.

- Committee 1 (S-1) was adopted [no RC].
- Cropsey 1A was adopted [no RC].
- SB 1064 was moved to 3<sup>rd</sup> Reading.
- SWITALSKI 1 (1 amend) was defeated [RC 191: 16 yes, 21 no]. This would have restored funding for Academic/Vocational programs.
- SWITALSKI 2 (1 amend) was defeated [no RC]. This would have restored funding for Substance Abuse Testing and Treatment.

- PRUSI 3 (1 amend) was defeated [no RC]. This would have reinserted Contingency Fund language.
- SCOTT 4 (1 amend) was defeated [RC 192: 16 yes, 20 no]. This would have restored \$5 million in funding for Hepatitis C Testing and Treatment.
- SB 1064 passed [RC 193: 21 yes, 15 no].

### **SB 1065 (Johnson)**

#### Department of Education budget

SB 1065 allocates \$225,000 to the Office of Safe Schools. The bill eliminates funding for reimbursing teachers for half of the cost of receiving National Board Certification. It limits personal service contracts to \$10,000, while other state departments are limited to \$25,000. Per diem payments to the constitutionally created, statewide elected State Board are also eliminated.

- Committee 1 (S-1) was adopted [no RC].
- Garcia 1A was adopted [no RC].
- SCOTT 1B (1 amend) was adopted [no RC]. \$2 million for before- and after-school (Safe Haven) programs.
- SB 1065 was moved to 3<sup>rd</sup> Reading.
- SWITALSKI 1 (1 amend) was defeated [RC 182: 17 yes, 20 no]. Funding for members on the State Board of Education.
- SCOTT 2 (3 amends) was defeated [no RC]. Funding for National Board Certification of Michigan teachers.
- SB 1065 passed [RC 183: 37 yes, 0 no].

### **SB 1067 (Johnson)**

#### Higher Education budget

The Senate recommended budget comes in \$66,621,200 over the Governors recommendation. The Senate fully funds tuition grants for students at independent colleges and universities at \$64,768,100. The Governor proposed elimination of the program. Tuition restraint language is included by the Governor and Senate. It provides that if schools did not raise tuition for academic year 2003-04 by December 2003 and subsequently agrees not to adopt tuition and fee rate increases for academic year 2004-05 above the Detroit Consumer Price Index than 3.0% will be restored to the universities base appropriation. 12 of the 15 public universities have adopted the tuition restraint. Northern Michigan University, Lake Superior State University, and Michigan Technical University have yet to take action on the restraint.

- Committee 1 (S-1) was adopted [no RC].
- Goschka 1A (1 amend) was withdrawn.
- SB 1067 was moved to 3<sup>rd</sup> Reading.
- THOMAS 1 (1 amend) was defeated [RC 187: 17 yes, 20 no (GOP)].
- EMERSON 2 (7 amends) was defeated [no RC].
- SB 1067 passed [RC 188: 37 yes, 0 no].

### **SB 1069 (Johnson)**

#### K-12 School Aid budget

SB 1069 keeps the foundation allowance at \$6,700 per pupil . The bill reduces at risk payments by \$9.9 million. It reduces early childhood and vocational education funding by \$2 million each. The bill does not include \$15 million for the Detroit Public Schools. Funding for intermediate school districts is reduced by \$12.5 million.

- Committee 1 (S-1) was adopted [no RC].
- SCOTT 1A (3 amends) was defeated [no RC]. \$15 million for Detroit schools.
- JACOBS 1B (1 amend) was defeated [no RC]. Pupil count weighting for declining school districts (50% current year and 50% preceding year -- instead of 80/20 count). Total funding for eligible districts could not exceed \$6 million.
- Jelinek 1C (2 amends) was adopted [no RC]. Technical change.
- SB 1069 was moved to 3<sup>rd</sup> Reading.
- CHERRY 1 (3 amends) was defeated [RC 184: 16 yes, 21 no (GOP)]. Restore funds for school districts to implement Granholm's Great Start (early childhood education).
- SCOTT 2 (1 amend) was withdrawn. Copy of SCOTT 1B (SB 1065)
- SWITALSKI 3 (5 amends) was defeated [RC 185: 17 yes, 20 no (GOP)]. Restore funding for at-risk students (to be partially funded by taking \$5 million from the state laptop program).
- SCOTT 4 (3 amends) was defeated [no RC]. \$15 million for Detroit schools.
- SB 1069 passed [RC 186: 31 yes, 6 no].

## FINAL PASSAGE

### SB 222 (Garcia)

SB 222 would require the Department of Education to develop and make available to school districts a model character education program. School districts are then encouraged to provide the program to students. The substitute makes specific reference the Michigan model as well as two other character education programs, Character Counts and Character First! Education series. It should be noted that the Department of Education already has a model program developed that it makes available to schools in Michigan.

- SB 222 passed [RC 197: 34 yes, 2 no].

### SB 977 (Gilbert)

SB 977 would require a person who released any polluting material to the surface waters or groundwaters of the State in excess of the threshold reporting quantity (an amount defined R 324.2002) immediately to report the release via a 9-1-1 call to the Department of Environmental Quality (DEQ), the primary public safety answering point (PSAP) where the release occurred, and local health departments. Within 10 days of the release, the person responsible for it also would have to submit to the DEQ and to each local health department a full written explanation of the spill.

Noncompliance would be a felony punishable by a fine of \$2,500 to \$25,000; the court also could impose an additional fine of up to \$25,000 for each day the person failed to report the release. The penalty for a second or subsequent violation would be a per-day fine of \$25,000 to \$50,000 and up to two years' imprisonment.

Support: MI Environmental Council, MI Township Association, MI Association of Counties.

Oppose: DEQ, MI Manufacturers Association.

- Committee 1 (S-3) was defeated [no RC].

- Gilbert 2 (S-4) was withdrawn [no RC].
- Gilbert 3 (S-5) was withdrawn [no RC].
- SB 977 was moved to 3<sup>rd</sup> Reading.
- SB 977 passed [RC 204: 37 yes, 0 no].

### **SB 991 (Allen)**

SB 991 would was introduced for Rod Nelson, CEO of Mackinac Straights Hospital. The hospital is applying for federal funding to do a joint venture clinic with an Indian tribe. The feds need proof of the hospital's status as a "hospital authority." A clerical oversight many years ago prevents them from providing the proper paperwork. The bill amends the act to allow a "hospital authority" hospital an additional window of time to submit the proper documentation to prove its status and will allow for the federal funding.

- SB 991 passed [RC 198: 34 yes, 2 no].

### **HB 5029 (Tabor)**

#### **MOURNING DOVE HUNTING**

HB 5029 would include mourning doves in the definition of "game" which can be legally hunted and authorizes the first open season for mourning doves. The substitute removed the \$350,000 appropriation for the dove brochure.

Support: Michigan Coalition for Responsible Gun Owners, Michigan United Conservation Clubs, Michigan Hunting Dog Federation, Michigan Conservation Foundation, Michigan Ruffed Grouse Society, Michigan Resource Stewards, National Rifle Association, National Wild Turkey Federation, The American Kennel Club, Ted Nugent-USA, Michigan Duck Hunters Association-Bluewater Chapter, and U.S. Sportsmen's Alliance.

Oppose: Michigan Humane Society, Michigan Audubon Society, Songbird Protection Coalition, The Humane Society of the United States Michigan Humane Society, Michigan Audubon Society, Songbird Protection Coalition, and The Humane Society of the United States.

- Committee 1 (S-1) was adopted [no RC].
- HB 5029 was moved to 3<sup>rd</sup> Reading.
- HB 5029 passed with IE [RC 195: 22 yes, 15 no].

### **HB 5445 (Huizenga)**

HB 5445 would amend the Single Business Tax (SBT) Act to require the Michigan Economic Growth Authority (MEGA) to report to the Legislature on an SBT credit for qualified jobs with a "distressed business". The bill also would change citations to a section of the MEGA Act in provisions regarding SBT credits based on qualified new jobs. The bill would make a clarifying amendment that is considered necessary in order to fully implement the MEGA incentive program.

- Committee 1 (S-1) was adopted [no RC].
- HB 5445 was moved to 3<sup>rd</sup> Reading.
- HB 5445 passed with IE [RC 199: 37 yes, 0 no].

## **THIRD READING**

## **SB 1100 (Allen)**

The bill was introduced for the Kingsley schools in Senator Allen's district. The roof of their high school collapsed and so they are currently holding classes at several different locations. The bill specifically allows an additional 20 hours of leeway for the district to meet the instructional time requirements in law. Without this language, the school district could be subject to state aid penalties. The committee adopted an amendment that beginning next year, any district could be eligible for up to 30 hours of instructional hours missed after April 1 because of unusual and extenuating circumstances out of the control of the district.

- Committee 1 (S-1) was adopted [no RC].
- SB 1100 was moved to 3<sup>rd</sup> Reading.

## **HB 4929 (Ward)**

HB 4929 would require a person responsible for a sewer system to report all untreated or partially treated sewage discharges to the DEQ, the local health department, a daily newspaper where the municipality is located, and a daily newspaper where the discharge is located.

Support: DEQ, MI Environmental Council, MI Municipal League, MI Township Association.

- Committee 1 (S-1) was adopted [no RC].
- HB 4929 was moved to 3<sup>rd</sup> Reading.

## **HB 5087 (Shulman)**

HB 5087 would allow possession and use of an epinephrine auto-injector or epinephrine inhaler to treat anaphylaxis in public and nonpublic schools. The epinephrine auto-injector or inhaler would be allowed at school, on school-sponsored transportation or at any activity, event or program sponsored by the school. The regulation would be the same as is currently in statute for asthma inhalers. The substitute reported by the committee requires that a written emergency care plan that includes specific instructions for the pupil's needs.

Support: Department of Education, American Red Cross, MI Council for Maternal and Child Health, UM Food Allergy Service, MI Association of School Nurses, Allergy & Asthma Network Mothers of Asthmatics, Food Allergy and Anaphylaxis Network.

- Committee 1 (S-1) was adopted [no RC].
- HB 5087 was moved to 3<sup>rd</sup> Reading.

## **HB 5200 (Richardville)**

House Bill 5200 establishes October 18, 2003 (his birthday) as Willie Horton day in the state of Michigan. The originally introduced House bill had established October 28<sup>th</sup> of every year to be Willie Horton day but was substituted to make the law effective for only 2003 in order to make passage of the bill more likely.

- Committee 1 (S-2) was adopted [no RC].
- HB 5200 was moved to 3<sup>rd</sup> Reading.

## **HB 5365 (Howell)**

House Bill 5365 would repeal an outdated law (from 1905) which requires that all officers, appointees, and servants elected by the board of supervisors of Saginaw County be elected by voice vote.

- HB 5365 was moved to 3<sup>rd</sup> Reading. No amendments.

#### **HB 5641 (Palsrok)**

HB 5641 would bring an outdated statute into compliance with current practice and statute law. The state statute that governs the relocation of a county's seat of government is more than 150-years old, and three of its provisions no longer align with current practices. The law is out-of-date with regard to: 1) the recently enacted election consolidation laws, 2) its requirement that the "county board of supervisors" (rather than the county board of commissioners) approve the relocation of a county seat, and 3) its requirement that the citizens vote on the proposal to relocate the county seat at the "annual township meeting," a form of government that was discontinued by most counties in the early 1960s.

Support: Michigan Association of Counties.

- Committee 1 (S-1) was adopted [no RC].
- HB 5641 was moved to 3<sup>rd</sup> Reading.